

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/711,338	SAITO, HIDEAKI	
	Examiner	Art Unit	
	Lars A. Olson	3617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on June 5, 2006.
2. ☒ The allowed claim(s) is/are 1 and 4-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### Reasons for Allowance

1. An amendment was received from the applicant on June 5, 2006.
2. Claims 2 and 3 have been canceled.
3. Claims 1 and 4-7 are allowed.
4. The following is an examiner's statement of reasons for allowance. The pivoting arrangement for a marine propulsion device as claimed is not shown or suggested in the prior art because of the use of a pivoting arrangement that is comprised of a cylinder assembly that is pivotally connected to one of a watercraft and a marine propulsion device, a piston that is supported within a cylinder bore of said cylinder assembly, a piston rod that is affixed to said piston, extends externally of said cylinder assembly, and is adapted for pivotal connection to the other of said watercraft and said marine propulsion device, where at least one of said pivotal connections is formed by a pair of transversely extending cylindrical portions that are integrally formed on said cylinder assembly and are received in bearing portions carried by said watercraft.
5. The prior art as disclosed by Nakamura (US 6,165,032) shows the use of a tilt cylinder device that is comprised of a cylinder assembly with a cylinder bore that is adapted for pivotal connection to a watercraft, a piston that is supported within said cylinder bore, and a piston rod that is affixed to said piston, extends externally from said cylinder assembly, and is adapted for pivotal connection to an outboard motor, where one of said pivotal connections is formed by a cylindrical portion of said piston rod. Pichl (US 4,119,054) discloses an outboard motor mount that is comprised of a cylinder

with a cylindrical portion that is integrally formed at one end of said cylinder as a transverse beam. Blanchard (US 4,406,634) discloses a trim cylinder with a pair of integral projections that extend transversely from said cylinder and have a bore for receiving a hinge pin for pivotally connecting said cylinder to a pair of side plates of a clamping bracket. Blanchard does not show or suggest that said pair of integral projections are received in bearing portions that are attached to a watercraft. Therefore, none of the prior art cited shows or suggests the use of a pivoting arrangement for a marine propulsion device, said pivoting arrangement being comprised of a cylinder assembly that is pivotally connected to one of a watercraft and a marine propulsion device, a piston that is supported within a cylinder bore of said cylinder assembly, a piston rod that is affixed to said piston, extends externally of said cylinder assembly, and is adapted for pivotal connection to the other of said watercraft and said marine propulsion device, where at least one of said pivotal connections is formed by a pair of transversely extending cylindrical portions that are integrally formed on said cylinder assembly and are received in bearing portions carried by said watercraft.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

June 12, 2006

LARS A. OLSON  
PRIMARY EXAMINER

A handwritten signature in cursive script, appearing to read "Lars Olson".

6 / 12 / 06